

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

INTEGON NATIONAL INSURANCE) Case No.: 1:20-cv-00490-NONE-JLT
COMPANY,)
Plaintiff,) ORDER SETTING BRIEFING SCHEDULE RE:
v.) WHETHER TO LIFT THE STAY
ROBERT HUTSELL, et al.,) (Doc. 27)
Defendants.)

)

The Court stayed this action, at the request of the parties, because Mr. Hutsell was facing criminal charges related to the issues underlying this case (Doc. 29). The concern expressed in the stipulation to stay the case was that until the criminal case was resolved, Mr. Hutsell would assert his Fifth Amendment right in response to discovery requests and at deposition. Id. at 2-3.

The parties report now that Mr. Hutsell has plead nolo contendere to one charge and the remaining charge was dismissed. (Doc. 29) Nevertheless, though the plaintiff believes the stay should be lifted, Mr. Hutsell disagrees. Id. at 2. Therefore, the Court **ORDERS**:

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1. No later than September 3, 2021, the parties **SHALL** file a joint statement setting forth their respective positions, supported by legal authority and admissible evidence, if needed, as to whether the stay should be lifted. The parties **SHALL** “reply” to their opponent’s position in the joint statement. No other briefing will be permitted.

IT IS SO ORDERED.

Dated: **August 5, 2021**

/s/ Jennifer L. Thurston

CHIEF UNITED STATES MAGISTRATE JUDGE